



The Superfund Process

Background

In 1980, Congress enacted the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), better known as "Superfund." This law created a tax on the chemical and petroleum industries to be put into a trust. It also gave the federal government broad authority to respond directly to actual or possible releases of materials hazardous to the public or environment.

A related law, the Superfund Amendments and Reauthorization Act (SARA), was passed in 1986. It requires federal facilities to comply with Superfund requirements. At Hanford, the Department of Energy must fund all the investigation and cleanup activities from their own budget. Likewise, EPA receives their oversight funding directly from Congress. Therefore, at federal facilities the Superfund trust monies are not used.

EPA is responsible for enforcing Superfund laws, and can take two kinds of actions at a site where there are actual or possible releases of hazardous substances. One is a "remedial response" and the second is a "removal action."

Remedial response -- the cleanup process and public involvement

A remedial response is a permanent action which significantly reduces the dangers at a site. Remedial responses are done at sites on EPA's National Priority List. The process begins with an intensive study of the site and ends with the implementation of the remedy chosen to meet specific requirements.

Public involvement and communication is extremely important -- in fact, the law outlines the process federal facilities must use to keep the public informed. The steps in the remedial response are:

- ☐ The Remedial Investigation (RI), to determine the nature and extent of contamination at a site. The site's conditions are studied, and potential or actual effects of the contamination are determined.
- ☐ The Feasibility Study (FS), to develop and assess possible cleanup alternatives. It uses information from the RI to develop a list of possible cleanup alternatives, then evaluates the alternatives to narrow the list. The public is encouraged to comment on the alternatives and information considered in the RI/FS, plus the alternative preferred by the federal facility to correct the problems at the site.
- ☐ The Record of Decision (ROD), a formal document which explains the final cleanup remedy chosen based on the information from the RI/FS and public comment.
- ☐ The Remedial Design phase (RD), which begins after the ROD is signed. The federal facility will begin the engineering designs for the selected remedy. This phase is mostly engineering and little progress is visible to people near the site.
- ☐ The Remedial Action phase (RA), which is the actual construction that follows the completion of the RD. People can see work in progress at the site.

☐ Operation and Maintenance (O&M), the final phase of the selected remedy, which can last for 30 or more years. Federal facilities are responsible for the operation and maintenance and are periodically checked by EPA to make sure the remedy is working.

Removal Action

The second action authorized by Superfund regulations, the "removal action," can be done

anytime and anywhere to remedy a situation where there are actual or possible releases of hazardous material to the public or environment. Removal actions are quick responses to remove, stabilize or contain a threatened or actual release of hazardous substances. Removals are short-term, and provide immediate protection once they are completed.

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